

jc879 U.S. PTO
10/037143
11/07/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

) Examiner: Not Yet Assigned

Serial No.: Not Yet Assigned

) Group Art Unit: Not Yet Assigned

Filing Date: November 7, 2001

Attorney Docket No: 01-046

Customer No.: 22927

For: MULTIPLE PARTY REWARD SYSTEM
UTILIZING SINGLE ACCOUNT



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope with sufficient postage and addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231, on November 7, 2001.

Dated: 11/07/01 By:

Michael D. Brinton

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark

Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ Please accept payment of the fees due as indicated below:
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

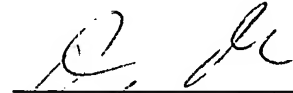
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.


Respectfully submitted,

November 7, 2001
Date



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INFORMATION DISCLOSURE CITATION				Docket Number 01-046		Serial Number Not Yet Assigned	
				Applicants WALKER et al.			
				Filing Date November 7, 2001		Group Art Unit Not Yet Assigned	

Jc079 U.S. PTO
 10/037143


U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	A	4,833,607	05/23/89	Dethloff et al.	364	401	
	B	4,837,422	06/06/89	Dethloff et al.	235	380	
	C	4,876,592	10/24/89	Von Kohorn	358	84	
	D	5,025,372	06/18/91	Burton et al.	364	406	
	E	5,056,019	10/08/91	Schultz et al.	364	405	
	F	5,227,874	07/13/93	Von Kohorn	358	84	
	G	5,287,181	02/15/94	Holman	348	473	
	H	5,287,269	02/15/94	Dorrough et al.	364	408	
	I	5,473,144	12/05/95	Mathurin, Jr.	235	380	
	J	5,503,434	04/02/96	Gunn	283	67	
	K	5,537,314	07/16/96	Kanter	364	406	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	L	GB 2313340	11/26/97	Great Britain				

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		
	M	Shulman, Richard E., "Getting started with your frequent shopper program.", Supermarket Business Magazine, October 1990, Vol. 45, no. 10, pg. 19, ISSN: 0196-5700.
	N	Berry, Jon, "MCI Reaches Out for Leads", ADWEEK, March 25, 1991, Section: News, pg. 4.

EXAMINER	DATE CONSIDERED:
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	O	5,621,640	04/15/97	Burke	395	214	
	P	5,770,843	06/23/98	Rose et al.	235	380	
	Q	6,044,360	03/28/00	Picciallo	705	21	
	R	6,128,599	10/03/00	Walker et al.	705	14	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No

OTHER DOCUMENTS <i>(Including author, Title, Date, Pertinent Pages, Etc.)</i>		
	S	Casper, Carol, "Restaurants seek loyal customers.", Cowles Business Media Inc. Direct, May 1994, Vol. 6, No. 5, pg. 18, ISSN: 1046-4174.
	T	"The Subway Route Toward Fast-Food Acceptance of On-Line Debit", Debit Card News, June 18, 1997.

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INFORMATION DISCLOSURE CITATION		Docket Number 01-046	Serial Number Not Yet Assigned
		Applicants WALKER et al.	
		Filing Date November 7, 2001	Group Art Unit Not Yet Assigned
	U	"Burger King to test smart cards to speed up fast food", Agence France Presse, June 3, 1998, Section: Financial pages.	
	V	Stieghorst, Tom, "Hold the Pickles, Hold the Cash; Burger King Tests Smart Cards", Sun-Sentinel, June 4, 1998, Section: Business, pg. 2D.	
	W	"VeriFone and McDonald's Introduce Electronic Cash Smart Card Solution to Consumers;...", Business Wire, August 17, 1998.	
	X	"Welcome to SAM'S Club", (http //www samsclub com/index.shtml), download date: March 16, 1999.	
	Y	"Customer Recognition/Activity Recording", IBM Corporation, (http //www raleigh ibm com/rds/retailed/re1140/large/emovrp 17 htm), download date: December 27, 2000.	
EXAMINER		DATE CONSIDERED:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.			